

SECTION I. INTRODUCTION

A. PURPOSE AND INTENT

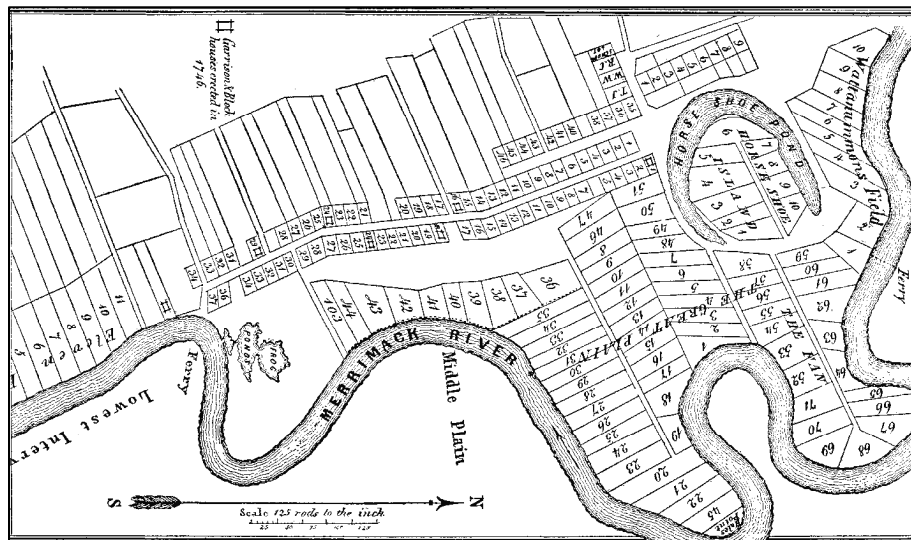
The City of Concord's Master Plan sets forth policies and recommendations for the orderly growth and development of the community; the preservation, conservation and use of natural and man-made resources; and the adequate and efficient provision of transportation, public and private utilities, recreation, and other community facilities and services. The overall goal of the plan is to promote and enhance the health, safety, and general welfare of the community. The Master Plan is made up of a series of coordinated sections, each of which addresses one specific component of the overall comprehensive master plan, such as land use, conservation and open space, transportation, housing, utilities, public facilities, etc. The Master Plan is supported by a number of planning, engineering and other statistical and scientific documents which are noted by reference throughout the plan. The Master Plan consists of articulated statements in the form of written goals, and policies, along with recommendations for the balanced growth and development of the community in both written and graphic form.

It is the intent of the City Planning Board to coordinate its planning and regulatory actions with those of the surrounding towns, the Central New Hampshire Region, and the State of New Hampshire. The City government including the City Council, City Manager and other administrative officers and departments of the City should utilize the recommendations contained within the Master Plan as a basis for discussions with the State of New Hampshire and the surrounding communities in regard to development and planning activities.

B. HISTORY OF CONCORD'S MASTER PLANNING

1. Settlement Plan

The first "master plan" for the City of Concord was developed in the spring and summer of 1726. In that year, surveyors were sent to this location on the Merrimack by the colony of Massachusetts. Their task was to determine a location for a new settlement on the river, but the floodplain and bluffs on the river presented hazards and obstacles. As a consequence, a settlement plan - or Concord's first master plan - had to be devised. The surveyor's notes of the first visit convey great difficulty in laying out a town because of the flooding of the river, but the problem of the flood plain, and the mountainous terrain on the east, was resolved by establishing house lots along a main street located on a flat plateau west of, and above, the Merrimack River flood plain. Tillage lots, associated with each house lot, were placed in the fertile flood plain. The main street, laid out in 1726, has not been relocated or bypassed; it is the same North/South Main Street that exists today (US Route 3). The northwest to southeast orientation of this main street formed the basis of the grid system which shaped the development of the City for its first century and a half. The tillage lots have been partially developed over the past two hundred and eighty years, but some still remain, notably at Horseshoe Pond. Concord is unusual in that it was formed and settled in accordance with a master plan which was influenced by the Merrimack River and other natural features. This influence has been inherent in the planning tradition of the City and remains a primary consideration in this Master Plan.



Badger's Plan of Proprietors' Lots, as laid out in 1726;
from the *History of Concord New Hampshire*, James O. Lyford, Editor

2. Chronological History of Concord City Planning from 1930 to 1993

- 1930** - Concord adopts its first Zoning Ordinance
- 1938** - Concord establishes a Planning Board
- 1938** - Gustaf H. Lehtinen hired as the City's first Planner. He continued to serve the City as Planning Director from 1938 to 1976.
- 1938** - The first Planning Study was completed entitled, "Storm Drainage in Concord, Flood and Gale of September, 1938.
- 1938-54** - Facility Planning Era - Focus on research and reports with an emphasis on Facility Planning.
- 1950** - The City Planning Board adopts the City's first Subdivision Regulations.
- 1956** - First citywide Land Use Plan prepared and adopted.
- 1963-72** - Urban Renewal Period - Federal requirements for Urban Renewal and Housing Programs required community-wide planning and code enforcement.
- 1963** - The City's first transportation plan, entitled, Major Thoroughfare Plan, was prepared and adopted.
- 1964** - The Land Use Plan was updated and revised Subdivision Regulations were adopted.
- 1965** - The City's first Community Facilities Plan adopted.
- 1967** - A new Zoning Ordinance was adopted which incorporated for the first time Site Plan Review (referred to as Large Scale Development) and Architectural Design Review, as well as the first local historic district.
- 1970** - The City's first comprehensive Transportation Plan was prepared and adopted.
- 1971** - The City establishes a Conservation Commission.
- 1971** - The City's first comprehensive Recreation Plan was adopted.
- 1972** - A Housing Needs Plan was prepared.
- 1974** - The City enacts a Floodway Overlay District for the Merrimack River as part of the Zoning Ordinance.
- 1974-75** - The Master Plan is updated. A "full disclosure" Land Use Plan is prepared and adopted which displays the full buildout of the City as opposed to a ten or twenty year increment of projected growth.
- 1975** - The City's first Water and Sewer System Master Plans were prepared and adopted.

- 1977** - A New Zoning Ordinance is adopted with strong linkages created between land use & facility planning, and subdivision and zoning regulations. A Floodplain Overlay District for the Merrimack River is adopted. The process was begun of incorporating environmental protection and hazard reduction measures into local land development regulations.
- 1976 - 1984** - The City engages in Downtown Redevelopment starting with the planning and construction of Bicentennial Square, and continuing with the Firehouse Block, Eagle Square, Durgin Block (Capital Plaza), and Depot Square.
- 1978** - The City's first Open Space Plan is adopted, "A Legacy for Future Generations - Open Space in Concord New Hampshire."
- 1982** - The Land Use Plan is updated.
- 1983** - NH Supreme Court upholds Planning Board's authority in Ehrenberg et al v. Concord.
- 1984** - The Transportation Plan is updated.
- 1984-1989** - Development boom of the 1980's. The City sustains its highest rate and volume of growth in population, housing and employment in over 100 years. Regulatory role of Planning Board and Planning Department pre-empts traditional master plan and facility planning roles.
- 1985** - Revised Subdivision Regulations were adopted, and the first Site Plan Review Regulations are adopted in the aftermath of a NH Supreme Court case, Eddy Plaza Associates v. Concord.
- 1986-89** - The Broken Ground Development Corporation proposal for the development of Broken Ground into housing and a golf course creates a clash between development interests, environmentalists, and neighborhoods.
- 1987** - The Land Use and Open Space Plans reaffirmed by Planning Board. The Planning Board in 1987 reviewed the Master Plan and reaffirmed a series of planning studies and reports as part of the Master Plan.
- 1988-91** - Steeplegate Mall Development begins and Gateway Commercial Area created. The Master Plan was amended, new zoning adopted, and facility plans prepared for roads, storm sewer, and municipal water and sewer services.
- 1990-93** - Recession after explosive growth of the 1980's in which the financial industry is restructured and property tax base devaluation precipitates a fiscal crisis.
- 1992** - Merrimack River Charrette, sponsored by the National Park Service, focused attention on the relationships among Downtown Concord, Interstate 93, and the Merrimack River.
- 1993** - The Year 2010 Master Plan Update is prepared and adopted which consolidates Planning Goals, Objectives and Policies; Land Use; Open Space; Transportation; and Economic Development Elements in one document, and establishes the Urban Growth Boundary.
- 1994** - The City establishes a Heritage Commission which assumes the powers of the Historic District Commission.
- 1996** - The Housing Chapter was adopted as an amendment to the Master Plan
- 1996** - The Garvins Falls Urban Reserve Area Development Feasibility Study adopted as an amendment to the Master Plan
- 1997** - The South Concord Redevelopment Area Study adopted as an amendment to the Master Plan
- 1999-2007** - The City returns to active involvement in Downtown Redevelopment with the Sears Block (Capital Commons) and initiates similar action in Downtown Penacook with the former tannery property.
- 2000-2001** - The Citizen initiated Vision 2020 process occurs.
- 2001** - An Impact Fee Ordinance is adopted providing funds for transportation, school, and recreational facilities needed as a result of growth and development of the City.

- 2001** - A new Zoning Ordinance is adopted which incorporates the recommendations of the 1993 Master Plan
- 2001-2003** - City prevails in NH Supreme Court in the case of Richmond Company v City, upholding the Planning Board's denial of a Site Plan application.
- 2002** - The City adopts a Demolition Delay Ordinance for historic buildings and structures.
- 2004** - The City issues a \$5 million bond for open space acquisition to implement the Open Space Plan.
- 2007** - The City adopts a zoning amendment that mandates cluster development outside the Urban Growth Boundary.

C. CONSISTENCY OF GOALS, POLICIES, AND RECOMMENDATIONS

All goals and policies within each section are internally consistent and are consistent with the Vision Section, goals, and policies. Municipal comprehensive planning involves a balancing of competing and sometimes conflicting goals and endeavors, hence, each policy and recommendation has been reviewed within the overall context of the Master Plan.

D. LEGAL STATUS OF THE MASTER PLAN

The City of Concord Planning Board has adopted this Master Plan pursuant to the provisions and requirements of NH RSA 674:1 through 4, inclusive. The Master Plan provides the basis for regulations which direct development to the most appropriate locations, thereby limiting adverse impacts on the natural environment, financial capacity, and cultural heritage of the community. The Master Plan is not a regulatory document in and of itself; zoning, subdivision, site plan, and historic district regulations, among others, along with the Capital Improvement Program and Budget are the legal tools for implementing the Master Plan.

The New Hampshire Supreme Court, in decisions over the last three decades, has defined the role of the master plan in regard to land development regulations. In 1978, the NH Supreme Court stated: "(C)omprehensive planning with a solid, scientific and statistical basis is the key element in land use regulation in New Hampshire"[*Patenaude v. Meredith*, 118 NH 616 (1978)]. In the case of *Stoney-Brook Development Corporation v. Town of Fremont*, 124 NH 583 (1984), the Supreme Court invalidated the Town's growth management ordinance due to an inadequate master plan and capital improvement program. The NH Supreme Court ruled that the master plan is a general guide to aid planning boards in making zoning decisions, and it need not be particularly detailed in describing future land uses [*Treisman v. Town of Bedford* (1989) 132 NH 54, 563 A2d 786]. The master plan is the essential starting point for developing land use regulations and a capital improvement program. It should be used as a general guide; hence the master plan is neither as specific, nor as detailed, as the regulations which implement the master plan.

All amendments to this Master Plan will be adopted pursuant to the provisions and requirements of NH RSA 674:1 through 4, inclusive, as they exist or may be amended in the future. Within the state enabling legislation for master plans, (NH RSA 674:3 II.), planning boards are advised to review and revise, as necessary the master plan, at intervals of up to ten (10) years. Concord has traditionally made small revisions and adopted larger amendments as necessary, and undertaken comprehensive updates at intervals of 10 to 15 years.

E. INFORMATION PRESENTED FOR STANDARDIZED GEOGRAPHIC AREAS OF THE CITY

Data and information supporting this plan were compiled, prepared, and presented for the City as a whole as well as for certain standardized geographic sub-areas of the City, including the Urban Growth Boundary, the Village/Master Plan Districts, and the Traffic Analysis Zones (TAZ's).

1. Urban Growth Boundary

The 1993 Master Plan introduced the Urban Growth Boundary (UGB), an innovative anti-sprawl policy that has since guided the City's land use regulatory changes. The UGB defines the limits of urban development with the City such that the land inside the UGB is served by City water and sewer utilities, there is an extensive transportation network available, and the City will continue to focus its investment in such infrastructure in this area. The most intensive residential development as well as the vast majority of the City's economic development have occurred and are planned for the area inside the UGB.

In contrast, the area outside of the UGB is rural in nature, having no utility services and thereby making any development dependent on wells and subsurface disposal systems. The transportation infrastructure is much more limited in this area. The land outside the UGB also embraces most of the City's environmentally sensitive land including floodplains, wetlands, water resources, steep slopes, and prime farmlands. Low density residential development together with agricultural and recreational uses have occurred and are planned for the area outside the UGB. Section III, Land Use, of this Master Plan provides a more extensive discussion about the UGB.

2. Villages/Master Plan Districts

Concord has long had a number of discretely named subsections of the City with which the local residents identify. For the purposes of this Master Plan, these subsections will be referred to herein as "Villages/Master Plan Districts", and are comprised of one or more neighborhoods. The Villages/Master Plan Districts include Penacook, West Concord, East Concord, Concord Heights, and two areas around Downtown herein defined, one being the South End, which lies south and southwest of Downtown, and the other a combination of the areas to the west and to the north of Downtown, labeled herein as the North/West End. Table I-1 indicates the area of each District as well as the portion of each within and outside of the Urban Growth Boundary. The boundaries of the Villages/Master Plan Districts are displayed along with the Urban Growth Boundary on Exhibit I-1.

The Vision 20/20 employed the title of "villages" and generally used the same names as indicated above with the exception that the North/West End was referred to as "Downtown". The dividing lines between the villages were not clearly defined in the Vision 20/20 process, but for the Master Plan update, the dividing lines have been defined so that counts of population and housing units can be assigned to specific villages. Vision 20/20 also focused its attention on the development inside the Urban Growth Boundary (UGB); however, the analytical framework for the Master Plan embraces the entirety of the City, both inside and outside of the UGB, within the Villages/Master Plan Districts.

The area of Concord that is within the administrative jurisdiction of the Merrimack Valley School District (MVSD) is a primary defining characteristic of Penacook Village and its boundaries have been utilized for the Penacook Village/Master Plan District.

Within the area of Concord that is in the administrative jurisdiction of the Concord School District, the elementary school attendance areas, in tandem with the service areas of major recreational facilities and youth sports participation boundaries were viewed as a sort of social common denominator for defining the limits of each Village/Master Plan District, along with some adjustments in recognition of the limits of census tracts and blocks. The elementary school attendance areas cross the UGB so that families who live outside the UGB are connected to the families inside the UGB through the elementary school. Some Villages/Master Plan Districts embrace two elementary school attendance areas but the children and families are connected by virtue of sharing a gymnasium, a pool, and a community center, as well as common youth recreation participation boundaries.

3. Traffic Analysis Zones

A set of 151 Traffic Analysis Zones (TAZ's) were defined in conjunction with traffic modeling efforts for this Master Plan, providing an update from the modeling efforts that supported the 1993 Master Plan. The modeling program requires existing and projected housing and employment data for each TAZ. The numbers of existing housing units as well as existing jobs were allocated based on the 2000 Census Tracts and block data, the NH Department of Employment Security data, as well as the New Hampshire Economic and Labor Market Information Bureau's data for Merrimack County. Projections of dwelling units and employment were then made for the year 2030 for each TAZ. These characteristics – housing and employment are used in the model to represent trip generation and trip attraction and simulate the dynamics of transportation system of the City. The data from the TAZ's were assembled for each of the above referenced Villages/Master Plan Districts, and subtotaled for the areas both inside as well as outside the UGB in each Village/Master Plan District.

Table I-1. Villages/Master Plan Districts

Village/ Master Plan District	Area of Land and Water					
	Total Area		Area Inside UGB		Area Outside UGB	
	Sq. Mi.	% of City	Sq. Mi.	%	Sq. Mi.	%
East Concord	15.78	23.4%	4.51	21.8%	11.27	24.1%
Concord Heights	11.38	16.9%	6.21	30.0%	5.17	11.1%
South End	7.52	11.2%	2.21	10.7%	5.31	11.4%
North/West End	11.95	17.7%	3.35	16.2%	8.60	18.4%
West Concord	16.35	24.3%	2.17	10.5%	14.18	30.4%
Penacook	4.43	6.6%	2.24	10.8%	2.19	4.7%
Totals	67.41	100%	20.69	100%	46.72	100%
% of City	100%		30.7%		69.3%	

Exhibit I-1. Villages/Master Plan Districts

[insert 8 ½ x 11 graphic]

